

SUMMARY OF DEQ SUBDIVISION REVIEW PROCESS AND PLANNING FOR GROWTH

WATER SUPPLY AND GROWTH IN THE CLARK FORK RIVER BASIN

MARCH 11, 2008

Presented by:

Eric Regensburger

Department of Environmental Quality

eregensburger@mt.gov

COMPONENTS OF DEQ REVIEW

- 3 MAIN COMPONENTS
 - Water
 - Plan and Spec. review
 - Quality, quantity and dependability
 - Wastewater
 - Plan and Spec. review
 - Water quality (nondegradation)
 - Storm water

WATER – Plan and Spec

- **Review for compliance with rules and technical circulars**
 - Subdivision rules (ARM 17.36.101 et. seq.)
 - DEQ-1 (for community public systems)
 - DEQ-3 (multi-user and small public systems)
- **Public systems reviewed by public water supply section**

WATER - Quality

- Cannot exceed human health standards for pollutants (DEQ-7).
- If human health standards are exceeded, can treat water using point of use devices.
- Typically just test water for specific conductance, nitrate (as N), and total coliform bacteria (in existing water wells) unless indication of other pollutants (may add arsenic to this list in the future).

WATER – Quantity

- **QUANTITY** (ability to meet peak demands):
 - 10 gpm for 1 hr;
 - 6 gpm for 2 hrs; or
 - 4 gpm for 4 hours
 - Cisterns (storage) can be used if above flows cannot be met

WATER – Dependability

- **DEPENDABILITY** (long term availability):
 - *“...At a minimum, the applicant shall provide evidence that the aquifer can supply, by itself or through recharge from surrounding geologic units, water to wells in an amount equal to the proposed ground water withdrawals”* ARM 17.36.330(1)(c)
 - Or in other words: dependability is ability to use water in perpetuity from aquifer without “mining” the aquifer and possibly destroying the aquifer.
 - Of the three criteria, dependability is the most difficult to demonstrate.

WASTEWATER – Plan and Spec

- **Review for compliance with rules and technical circulars**
 - Subdivision rules (ARM 17.36.101 et. seq.)
 - DEQ-2
 - DEQ-4
- **Over 5,000 gpd design – reviewed by discharge permit section**

WASTEWATER – Water Quality

- Review for compliance with water quality standards
 - Water Quality Act (Title 75, Chapter 5, MCA)
 - DEQ-7
 - Nondegradation rules (ARM 17.30.701 et. seq.)
 - Nitrate (mixing zone rules)
 - Phosphorus (travel time to surface water)
 - Pathogens

STORMWATER

- **Review for compliance with rules and technical circulars**
 - Subdivision rules (ARM 17.36.101 et. seq.)
 - DEQ-8 (currently being updated)

PLANNING

- Review for compliance with minimum standards
 - If minimum standards met, DEQ cannot require a different type of system (e.g. community systems vs. individual systems)
 - Difficulty/time with other regulatory processes (discharge permit or water rights) pushes development to individual systems
- Planning happens on the county level
- What gets approved by DEQ can require re-review at the county level